

## Petition for Termination of Guardianship

Age: 8	JEANINE BAKER, Mother, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
Cont. from 041713		
Aff.Sub.Wit.		
✓ Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg	X	
Aff.Mail	X	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
✓ CI Report		
9202		
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

**DOUGLAS and ELIDA BAKER**, Maternal Grandparents, were appointed Guardians on 4-11-05.

Father: **STEWART M. HAMBY**  
- Declaration of Due Diligence filed 2-15-13

Paternal grandfather: Stewart L. Hamby  
Paternal grandmother: Cindy Bruer

Siblings: Mackenzi Hamby, Levi Hamby

**Petitioner states** she has worked really hard to have a stable relationship for five years, a stable job for three years, a 3-bedroom house for four years, two reliable cars, and has completed an outpatient rehab in 2009 and has been clean ever since. Petitioner is also concerned about Trenton's well being because he is not attending counseling and should grow up with his siblings, not as a single child. He needs to form a bond with them and the best way for that is to live in the same house with his brother and sister. They get more time that way. His brother and sister are outstanding in school and it would only be right that Trenton joins them. Petitioner feels she has missed out on so much of his life already and is asking the Court to reunite mother with son. Petitioner attaches a letter from the Fresno County Probation Dept. that states her 2-year probation and criminal case were dismissed on 7-27-10. Petitioner submitted additional letters of support on 4-15-13.

**Court Investigator Charlotte Bien filed a report on 4-4-13.**

**Minute Order 4-17-13:** Ms. Hopper is appearing as counsel for Douglas Baker and Elida Baker. The Court is advised that there is a Family Court hearing on 4/29/13. The Court is provided the following case number for the adoption proceeding involving Jeanine Baker and Elida Baker: #13CEFL00860. Ms. Hopper requests that the proceeds in this matter be stayed pending the Family Court matter. The Court stays and continues these proceedings to 6/12/13. Continued to 6/12/13. Set on 6/12/13 for: Status Hearing Re: Family Court Matter.

**As of 6-6-13, nothing further has been filed.**

1. Need status of family law matter.
2. Need proof of service of Notice of Hearing at least 15 days prior to the hearing per Probate Code §§ 1460(b)(5), 1214 on the following, unless the Court finds diligence and dispenses with notice:
  - Elida Baker (Maternal Grandmother/Guardian)
  - Cindy J. Hopper (Attorney for Guardians)
  - Stewart M. Hamby (Father)

Reviewed by: skc

Reviewed on: 6-6-13

Updates:

Recommendation:

File 1A - Hamby

Age: 8		<p><b>DOUGLAS and ELIDA BAKER</b>, Maternal Grandparents, were appointed Guardians on 4-11-05.</p> <p><b>JEANINE BAKER</b>, Mother, filed a Petition for Termination of Guardianship on 2-15-13.</p> <p><b>At hearing on 4-17-13</b>, Guardians were represented by Attorney Cindy Hopper and advised the Court that there is a family law matter pending for the adoption of the minor. Attorney Hopper requested that these proceeds be stayed pending the family court matter.</p> <p>The Court stayed and continued this petition to 6-12-13.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p>	
Aff.Sub.Wit.				<p><b>Reviewed by:</b> skc</p> <p><b>Reviewed on:</b> 6-6-13</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 1B – Hamby</b></p>
Verified				
Inventory				
PTC				
Not.Cred.				
Notice of Hrg				
Aff.Mail				
Aff.Pub.				
Sp.Ntc.				
Pers.Serv.				
Conf. Screen				
Letters				
Duties/Supp				
Objections				
Video Receipt				
CI Report				
9202				
Order				
Aff. Posting				
Status Rpt				
UCCJEA				
Citation				
FTB Notice				

(1) First and Final Report of Administration of Estate by Jane F. Sigler as Administrator, and (2) Petition for Its Settlement, and for (3) Final Distribution on Waiver of Account, and for (4) Approval of Statutory Compensation to Personal Representative and Attorneys' Fee for Ordinary Services (Prob. C. 10810, 10830, 10900, 10951, 10954, 11640, 12200 et seq. Prob. Rule 7.250 & 7.550)

<b>DOD: 1/9/2009</b>		<b>JANE F. SIGLER</b> , Administrator, is petitioner.  Accounting is waived.  I & A - \$283,623.92 POH - \$336,465.88  Administrator (statutory) - \$8,672.48  Attorney (statutory) - \$8,672.48  Closing - \$2,000.00  <b>Distribution, pursuant to intestate succession, is to:</b>  Frank C. Farr - \$105,706.98 Jane F. Sigler - \$105,706.98 Cindy Kuenher - \$ 52,853.48 Carolyn Cullen - \$ 52,853.48	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from 051413</b>			
	<b>Aff.Sub.Wit.</b>		
✓	<b>Verified</b>		
✓	<b>Inventory</b>		
✓	<b>PTC</b>		
✓	<b>Not.Cred.</b>		
✓	<b>Notice of Hrg</b>		
✓	<b>Aff.Mail</b> W/		
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
✓	<b>Letters</b> 12/10/10		
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
✓	<b>9202</b>		
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
✓	<b>FTB Notice</b>		
		<b>Reviewed by: KT</b> <b>Reviewed on: 6/7/2013</b> <b>Updates:</b> <b>Recommendation: SUBMITTED</b> <b>File 2 – Gregory</b>	

## (1) First and Final Report of Executors on Waiver of Account and (2) Petition for Allowance of Compensation to Attorneys for Ordinary Services and (3) Final Distribution

<b>DOD: 07/01/12</b>		<b>AUTUMN LENCIONI and GAREN LENCIONI</b> , Co-Executors, are Petitioners.		<b>NEEDS/PROBLEMS/COMMENTS:</b>	
		Accounting is waived.		1. The cash on hand stated in the Petition and Order contains a typo (\$284,7120.23). Need clarification of cash on hand and need revised order with the correct amount.	
<b>Cont. from</b>				2. The attorney is requesting costs reimbursement in the amount of \$1,625.40. Need itemization these costs.	
	<b>Aff.Sub.Wit.</b>	I & A	- \$696,900.00		
✓	<b>Verified</b>	POH	- \$768,926.21		
	<b>Inventory</b>	Executors	- waived		
✓	<b>PTC</b>	Attorney	- <b>\$3,500.00</b> (less than statutory)		
✓	<b>Not.Cred.</b>	Costs	- <b>\$1,625.40</b> (for – NOT STATED)		
✓	<b>Notice of Hrg</b>	<b>Distribution, pursuant to Decedent's Will is to:</b>			
✓	<b>Aff.Mail</b>	Autumn S. Lencioni – ½ interest in cash on hand, plus ½ interest in real property, ½ interest in 2 ATV's, and ½ interest in 2 trailers			
	<b>Aff.Pub.</b>	Garen M. Lencioni - ½ interest in cash on hand, plus ½ interest in real property, ½ interest in 2 ATV's, and ½ interest in 2 trailers			
	<b>Sp.Ntc.</b>				
	<b>Pers.Serv.</b>				
	<b>Conf. Screen</b>				
	<b>Letters</b>	09/05/12		<b>Reviewed by:</b> JF	
	<b>Duties/Supp</b>			<b>Reviewed on:</b> 06/10/13	
	<b>Objections</b>			<b>Updates:</b>	
	<b>Video Receipt</b>			<b>Recommendation:</b>	
	<b>CI Report</b>			<b>File 3 – Lencioni</b>	
✓	<b>9202</b>				
✓	<b>Order</b>				
	<b>Aff. Posting</b>				
	<b>Status Rpt</b>				
	<b>UCCJEA</b>				
	<b>Citation</b>				
✓	<b>FTB Notice</b>				

Atty Keeler, William J.; of Garvey Schubert Barer, Portland OR (for Petitioner Margaret Friesen)  
 Atty Meyer, Kent; Yee, Michael; of Meyer & Yee, Roseville (for Respondent Gregory Friesen)

## Petition to Construe Trust Provisions

<b>Mary Lou DOD:</b> <b>8/17/2007</b>		<b>MARGARET FRIESEN</b> , spouse of Leroy J. Friesen and named Trust Beneficiary, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>OFF CALENDAR</b>  <b>Amended Petition to Construe Trust, etc., filed 6/7/13; set for hearing on 7/24/2013.</b>  1. Proposed order identifies the <i>Petition</i> as a Petition to Construe Trust Provisions and a "Petition for (1) Order to Recover Property; (2) Breach of Trust; (3) Breach of Fiduciary Duty;" however, these allegations are not specified in the <i>Petition</i> . Additionally, the proposed order specifies the real property address in Morro Bay which is not contained in the <i>Petition</i> nor any of the filed pleadings. <i>Petition</i> should contain and verify this information.
<b>Leroy DOD:</b> <b>12/21/2012</b>			
<b>Cont. from 050813</b>		<b>Petitioner states:</b> <ul style="list-style-type: none"> <li>In September 1992, Leroy J. Friesen and Mary Lou Friesen created the <b>LEROY J. FRIESEN AND MARY LOU FRIESEN REVOCABLE TRUST</b>, which was amended and restated on 12/12/2007 (copy attached as Exhibit A);</li> <li>The Trust was amended by written amendments on 4/27/2011 and 6/11/2012 (copies attached as Exhibits B and C);</li> <li>Petitioner has standing to bring this petition because she is a named Beneficiary and is the surviving spouse of Leroy; additionally, this issue is ripe for adjudication as the current acting [Successor] Trustee, <b>GREGORY L. FRIESEN</b>, son of Leroy and Mary Lou, has erroneously denied Petitioner access to her community property acquired during her marriage to Leroy, her own personal property, and personal property granted to her in the Trust by Leroy; previous attempts to resolve this matter without court intervention have been unsuccessful;</li> <li>The principal place of trust administration for the Trust has been in Fresno County since its creation, as Leroy administered the Trust in Fresno County until his death; the person purporting to act as current [Successor] Trustee has failed, despite request, to give notice to the Beneficiaries pursuant to Probate Code § 16061.7 as to the address of the physical location where the principal place of administration of the Trust is located; accordingly, this Court has jurisdiction in this matter and is the proper venue for this proceeding;</li> <li>After Mary Lou's death on 8/17/2007, Leroy acted as sole Trustee until his death on 12/21/2012; Petitioner has not received any notice from the current [Successor] Trustee that any other person served as Trustee prior to Leroy's death; upon Leroy's death, Gregory became the Successor Trustee;</li> </ul>	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail		W /
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
<b>Note: Additional pages omitted; matter off calendar.</b>		<b>Reviewed by: LEG</b> <b>Reviewed on:</b> 6/7/13 <b>Updates:</b> <b>Recommendation:</b> <b>File 4 – Friesen</b>	

<b>DOD: 3-13-13</b>		<b>SANDRA L. FUNK</b> , Daughter and named Executor without Bond, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need date of death of Decedent's spouse per Local Rule 7.1.1.D.  <i>Note: The Decedent's Will indicates a date of death of 12-9-11 for a spouse; however, this information is not provided or verified in the Petition, and it is not known whether there are any others that the Court may need to be aware of. Need verified declaration.</i>  2. Decedent's Will devises the estate to the FLOYD ZIELKE 2013 TRUST. However, the trustee and/or beneficiaries of the trust are not listed at #8 of the petition. Need clarification. Probate Code §§ 8110, 1208.  3. Need DE-121 Notice of Petition to Administer Estate.  4. Need proof of service of Notice of Petition to Administer Estate on all persons listed in #8, including the trustee and/or beneficiaries of the trust, if the trustee and proposed executor are the same person, at least 15 days prior to the hearing. Probate Code §§ 8110, 1208.  5. Need order.  <u>If granted, the Court will set status hearings as follows:</u> <ul style="list-style-type: none"> <li>Friday 11-15-13 for filing of Inventory and Appraisal</li> <li>Friday 11-21-14 for filing of first account or petition for final distribution.</li> </ul> <u>If the required items are on file prior to these status dates, they may be taken off calendar.</u>
		Full IAEA – ok	
		Will dated: 2-27-13	
S/P	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg	X	
	Aff.Mail	X	
✓	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order	X	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
Reviewed by: skc			
Reviewed on: 6-7-13			
Updates:			
Recommendation:			
File 5 - Zielke			

<b>DOD: 3/18/2013</b>		<b>DOROTHY YORDON SOLES</b> , Trustee of the Soles Family Trust 12/14/1999, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from</b>		40 days since DOD.	
	<b>Aff.Sub.Wit.</b>		
✓	<b>Verified</b>	No other proceedings.	
✓	<b>Inventory</b>	Will dated 12/14/1999 devises the entire estate to the Soles Family Trust 12/14/1999.	1. Attachment 11 does not state the decedent's interest in the real property.
✓	<b>PTC</b>		
	<b>Not.Cred.</b>		
✓	<b>Notice of Hrg</b>	I & A - <b>\$95,000.00</b>	
✓	<b>Aff.Mail</b>	W/ <b>Petitioner requests</b> Court determination that Decedent's interest in real property pass, pursuant to Decedent's Will, to the Soles Family Trust.	
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
	<b>Letters</b>		
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
	<b>9202</b>		
✓	<b>Order</b>		
	<b>Aff. Posting</b>		<b>Reviewed by: KT</b>
	<b>Status Rpt</b>		<b>Reviewed on: 6/7/2013</b>
	<b>UCCJEA</b>		<b>Updates:</b>
	<b>Citation</b>		<b>Recommendation:</b>
	<b>FTB Notice</b>		<b>File 6 – Soles</b>

**(1) Final Account and Report and (2) Petition for Final Distribution**

DOD: 8-18-10		
	Aff.Sub.Wit.	
✓	Verified	
✓	Inventory	
✓	PTC	
✓	Not.Cred.	
✓	Notice of Hrg	
✓	Aff.Mail	w/o
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
✓	Letters	9-26-11
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
✓	9202	
	Order	X
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	X

<b>ESTELLA GRIFFITH</b> , Sister and Administrator with Full IAEA without bond, is Petitioner.  Account period: <i>Not stated</i>  Accounting:               \$ 38,171.41 Beginning POH:          \$ 193,100.00 Ending POH:             \$ 193,000.00 (A 1/5 interest in real property - rental)  Administrator: Waived  <b>Distribution pursuant to intestate succession:</b>  <b>Estella Griffith:</b> 1/8 of Decedent's 1/5 interest in the real property  <b>Ralph Escandon, Sr.:</b> 1/8 of Decedent's 1/5 interest in the real property  <b>Raquel Pena:</b> 1/8 of Decedent's 1/5 interest in the real property  <b>Donna Stevens:</b> 1/16 of Decedent's 1/5 interest in the real property  <b>Steven Escandon:</b> 1/16 of Decedent's 1/5 interest in the real property  <b>Albert Oliva:</b> 1/8 of Decedent's 1/5 interest in the real property  <b>Raymond Beltran:</b> 1/16 of Decedent's 1/5 interest in the real property  <b>Arthur Robles:</b> 1/16 of Decedent's 1/5 interest in the real property  <b>Esther Tinajero, Sandra E. Rapozo, Manuel Escandon, Jr., Pedro Escandon, Christina Escandon, Moses Escandon, and Monalissa Escandon:</b> Each, 1/7 of a 1/8 interest in Decedent's 1/5 interest in the real property  <b>Arlinda Canada:</b> 1/16 of Decedent's 1/5 interest in the real property  <b>Jay Alamo:</b> 1/16 of Decedent's 1/5 interest in the real property
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<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>1. <u>Need amended account.</u></b>  The accounting provided is not in an appropriate format pursuant to Probate Code §1060 et seq. For example, the account period is not stated, and the Summary lists "Receipts" and "Disbursements" rather than charges and credits, as provided in Probate Code §1061(b), and omits the values of the estate assets – real property interest and personal property – that are provided on the I&A.  <u>Issues with this petition as presented include, but are not limited to, the following items. Upon further review and/or amended petition, there may be additional issues.</u>  <b>2. Schedule B indicates "Initial Distribution" of a total of \$7,354.59 to the heirs that appears to be a preliminary distribution without Court authorization in violation of Probate Code §11600. Need clarification.</b>  <b><u>SEE ADDITIONAL PAGE</u></b>
<b>Reviewed by:</b> skc
<b>Reviewed on:</b> 6-7-13
<b>Updates:</b>
<b>Recommendation:</b>
<b>File 7 – Escandon</b>



Page 2

**NEEDS/PROBLEMS/COMMENTS (Continued):**

3. Schedule D Estate Expenses indicates \$3,200.00 as paid to Legal Tech for typing service. Only a personal representative and his or her attorney, if any, are entitled to compensation from the estate Legal Tech is not an attorney and is not entitled to payment from the estate as an attorney would be. Petitioner is self-represented and as such is responsible for the document preparation costs that she obtained. Fees paid for secretarial services are not appropriate. Further, any compensation related to estates requires petition and allowance by the Court prior to payment. See Probate Code §10830. Need clarification.
4. Summary indicates \$325.00 in bank charges. Need clarification.
5. Schedule D Estate Expenses indicates \$68.92 for "Gas (traveling)" and \$100.00 for "Arthur Robles – Gas item." Need clarification.
6. Petitioner states at Page 3, #19, that there is no family or affiliate relationship between the representative and any agent hired during administration; however, Schedule of Operating Expenses for the estate's share of the rental property indicates monthly payments for "Steve Escandon's Fee" and "Steve Escandon's Share." However, Steven Escandon is an heir. Need clarification.
7. Petitioner states notice to the Franchise Tax Board is not required because the assets did not exceed \$1 million (Page 3, #14). However, notice is always required regardless of the size of the estate. See Probate Code §9202(c) (effective 7-1-08).
8. Need written consent of all heirs to distribution of the real property in undivided interests pursuant to Local Rule 7.12.4.
9. Schedule B Proposed Distribution includes distribution to Arthur Robles, who post-deceased the decedent. However, distribution should be to the personal representative of his pursuant to Probate Code §11802.
10. Need clarification: Some documents refer to an heir "Arlinda;" however, some documents indicate "Erlinda." Is this the same person? If so, what is the correct name?
11. Need order. See Local Rule 7.6.1.

<b>Age: 16 years</b>		<b>VELMA ORTIZ</b> , paternal grandmother/guardian, is petitioner.  <b>VELMA ORTIZ</b> was appointed as guardian on 9/22/2011.  Father: <b>GILBERT ORTIZ</b> – deceased  Mother: <b>VERONICA MEJIA LOPEZ</b> – consents and waives notice.  Paternal grandfather: Deceased Maternal grandfather: Unknown Maternal grandmother: Juanita Lopez  <b>Petitioner states</b> termination is necessary because mother and son want to terminate.  <b>Court Investigator JoAnn Morris' Report filed on 6/7/13</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input type="checkbox"/>	<b>Notice of Hrg</b>		
<input type="checkbox"/>	<b>Aff.Mail</b> N/A		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
		<b>Reviewed by: KT</b>	
		<b>Reviewed on: 6/7/2013</b>	
		<b>Updates:</b>	
		<b>Recommendation:</b>	
		<b>File 8 – Ortiz</b>	

Atty Ledger, Bonnie (pro per Guardian/maternal grandmother)

Atty Villanueva, Cynthia (pro per Petitioner/mother)

## Petition for Visitation

Age: 3 years		<p><b>CYNTHIA VILLANUEVA</b>, mother, is petitioner.</p> <p><b>BONNIE LEDGER</b>, maternal grandmother, was appointed guardian on 9/26/2011.</p> <p>Father is unknown.</p> <p>The issue of visitation was previously before the court.</p> <p><b>Minute order from 2/1/2013</b> states parties inform the court that they have reached an agreement [for visitation] on their own as follows: mother will have visitation every Sunday for three hours as agreed upon by the parties. Visitation will be at the guardian's home on odd weeks and at her son's home on even weeks. After six months, the visitation will increase to five hours or more as agreed upon by the parties.</p> <p><b>Petitioner states</b> she would like the visits to be moved to her new residence. Petitioner states she has tried to work out a schedule with Bonnie [guardian] but she has not been flexible. In addition Bonnie stated that she cannot have visits on Sunday's anymore because that is her "family" time. Petitioner states Bonnie does not want her to have visits as her residence because she states mom "parties". Petitioner can assure the court that she no longer drinks or uses for quite some time now. Probation can tell the court the same.</p> <p style="text-align: center;"><b>Please see additional page</b></p>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg		
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

<b>Reviewed by:</b> KT
<b>Reviewed on:</b> 6/10/2013
<b>Updates:</b>
<b>Recommendation:</b>
<b>File 9 – Villanueva</b>

Petitioner states since starting her court ordered visitation on 1/1/2013 she has not been late dropping off or picking up the minor. The guardian on the other hand has been late numerous times.

Petitioner states she would like to have her weekend visits moved to her residence on her weekend. Other than that she is okay with going to the guardian's home every other weekend. She would still like to have the visits on Sundays. Her friend and landlord, Albert Alvarado has agreed to supervise the visits.

**Objections to Visitation filed by Bonnie Ledger [guardian] on 6/5/2013.** Ms. Ledger states she has complied with the court order as far as visitation goes. Cynthia has had a 3 hour visit every week. Ms. Ledger states she agreed to Sunday because Cynthia claims to have a job where she needed to be at her friend Albert's home on Friday night and Saturday night to clean. Ms. Ledger states she and Cynthia agreed that the time would be negotiable; per the minute order no set time was allocated.

Ms. Ledger states that since the minor has been in her care, Cynthia has resided in 4 different homes, has no employment and has not attempted finding gainful employment. Ms. Ledger states Cynthia has told her that when she goes home, where she now lives, she has found small bags that contained methamphetamine thrown around the house, and her friend Albert sells drugs. She claims that the girls who live there plus many others drink, smoke and do drugs in one room while Cynthia is watching their kids in another room. Ms. Ledger states she does not want the minor near Cynthia's residence. It is not a safe or health place for the minor.

Ms. Ledger states Cynthia has petitioned the court to allow Albert to supervise the visits. Ms. Ledger states she is not agreeable to this person supervising the visits. She does not want this person near the minor. She has no idea who he is and after hearing about what goes on in his home she refuses to utilize him as a supervisor. Ms. Ledger suggests that if they cannot agree on a mutual supervisor or location then maybe they need to use a supervising agency in which Cynthia would have to pay for the visits and perhaps get a sense of responsibility.

**Petition for Final Distribution on Waiver of Accounting [Prob. C. 10400-10406, 10904, 11600, 11642]**

<b>DOD: 11-10-11</b>			<b>ELIZABLETH DYER and KAREN DAVIS,</b> Daughters and Co-Administrators with Full IAEA without bond, are Petitioners.  Accounting is waived.  I&A: \$385,742.50  POH: \$386,459.50 (real property; personal property including business equipment, furniture and supplies; furniture and personal items; and cash in the amount of \$1,987.00)  Co-Administrators: Waived  <b>Distribution pursuant to intestate succession:</b>  Elizabeth Dyer: \$993.50 cash plus a 50% share of the real and personal property  Karen Davis: \$993.50 cash plus a 50% share of the real and personal property	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	<b>Aff.Sub.Wit.</b>			
✓	<b>Verified</b>			
✓	<b>Inventory</b>			
✓	<b>PTC</b>			
✓	<b>Not.Cred.</b>			
n/a	<b>Notice of Hrg</b>			
n/a	<b>Aff.Mail</b>			
	<b>Aff.Pub.</b>			
	<b>Sp.Ntc.</b>			
	<b>Pers.Serv.</b>			
	<b>Conf. Screen</b>			
✓	<b>Letters</b>	3-14-12		
	<b>Duties/Supp</b>			
	<b>Objections</b>			
	<b>Video Receipt</b>			
	<b>CI Report</b>			
✓	<b>9202</b>			
✓	<b>Order</b>			
	<b>Aff. Posting</b>			
	<b>Status Rpt</b>			
	<b>UCCJEA</b>			
	<b>Citation</b>			
✓	<b>FTB Notice</b>			
			<b>Reviewed by:</b> skc <b>Reviewed on:</b> 6-7-13 <b>Updates:</b> <b>Recommendation:</b> SUBMITTED <b>File 10 – Anderson</b>	

			<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><b><u>OFF CALENDAR</u></b> Scheduled in error</p>
	Aff.Sub.Wit.		
	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg		
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 6-7-13
			Updates:
			Recommendation:
			File 11 – Miller

**Petition for Appointment of Guardian of the Person (Prob. C. 1510)**

<b>Age: 6 months</b>		<b>NO TEMP REQUESTED</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>JOYCE LOPEZ</b> , Paternal Grandmother, is Petitioner.	<b>1. Need proof of personal service of Notice of Hearing with a copy of the Petition at least 15 days prior to the hearing per Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on:</b> - Andrea Para (Mother)
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Father: <b>ERNEST LOPEZ, JR.</b>	<b>2. Need proof of service of Notice of Hearing with a copy of the Petition at least 15 days prior to the hearing per Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on:</b> - Ernest Lopez (Paternal Grandfather) - Unknown maternal grandfather
<input checked="" type="checkbox"/>	<b>Verified</b>	- <i>Nominates, consents and waives notice</i>	
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>	Mother: <b>ANDREA PARA</b>	
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	Paternal Grandfather: Ernest Lopez	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	Maternal Grandfather: Unknown	
<input type="checkbox"/>	<b>Aff.Pub.</b>	Maternal Grandmother: Blanca Delia De La Cruz	
<input type="checkbox"/>	<b>Sp.Ntc.</b>	- <i>Mailed notice 5-25-13</i>	
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input checked="" type="checkbox"/>	<b>Conf. Screen</b>	<b>Petitioner states</b> the father will be absent from the home and the mother is abusing drugs. The minor has been in Petitioner's home since birth.	
<input checked="" type="checkbox"/>	<b>Letters</b>		
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input checked="" type="checkbox"/>	<b>CI Report</b>	<b>Court Investigator Jennifer Daniel filed a report on 6-4-13.</b>	
<input checked="" type="checkbox"/>	<b>Clearance</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input checked="" type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
			<b>Reviewed by:</b> skc
			<b>Reviewed on:</b> 6-7-13
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 12 – Lopez</b>

Pro Per Gonzales, Desi; Gonzales Glasscock, Jan; Gonzales, LaVonna; Gonzales, Marcus; Gonzales, Joshua; Gonzales, Melodie; Gonzales, Natalie (Pro Per Petitioners)

Petition to Determine Succession to Real and Personal Property  
(Prob. C. 13151)

<b>DOD: 1/6/2013</b>		<b>DESI GONZALES</b> , brother, <b>JAN GONZALES GLASSCOCK</b> , sister, <b>LaVONNA GONZALES</b> , niece, <b>MARCUS GONZALES</b> , nephew, <b>JOSHUA GONZALES</b> , nephew, <b>MELODIE GONZALES</b> , niece, and <b>NATALIE GONZALES</b> , niece, are Petitioners.  40 days since DOD  No other proceedings  I & A - \$ 115,100.00  Decedent died intestate.  <b>Petitioners request</b> Court determination that Decedent's <b>100%</b> interest in real property located at 5413 E. Grant Ave., Fresno; and Decedent's <b>100%</b> interest in personal property consisting of a vehicle, passes to the Petitioners pursuant to intestate succession.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input checked="" type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input type="checkbox"/>	<b>Notice of Hrg</b> N/A		
<input type="checkbox"/>	<b>Aff.Mail</b>		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		

<b>Reviewed by:</b> LEG
<b>Reviewed on:</b> 6/7/13
<b>Updates:</b>
<b>Recommendation:</b> SUBMITTED
<b>File 13 – Gonzales</b>



Petition for Probate of Will and for Letters Testamentary; Authorization to  
Administer Under IAEA (Prob. C. 8002, 10450)

<b>DOD: 3-24-13</b>		<b>TOM MIYAKE</b> , Brother and named executor without bond, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b> <u>Note: Based on the following issues, continuance for compliance or amendment will be necessary:</u> <ol style="list-style-type: none"> <li>Petitioner did not attach a copy of the will as required by #3e and Probate Code §8002(b)(1). Need declaration with copy of will.</li> <li>Need Confidential Supplement to Duties and Liabilities of Personal Representative (Form DE-147S).</li> <li>Need "Notice of Petition to Administer Estate" (Form DE-121) and proof of service at least 15 days prior to the hearing on all appropriate parties pursuant to §8110:  - Roy Miyake (Brother)  - Masato Miyake (Brother)  - Masaji Miyake (Brother)  - Marilyn Y. Ishimaru (Sister)  - Kirk A. Miyake (alternate executor and grandson)  - Karen A. Miyake (granddaughter)  - Lynnette A. Schetselaar Miyake (granddaughter)  - Gregg Ishimaru (grandson)  - Randy Ishimaru (grandson)  - Lester Ishimaru (grandson)  <u>Need clarification: Is it "Ray" or "Roy" Miyake? There is a discrepancy between the spelling in the will and as listed in #8 of the petition.</u>  <u>Note: Petitioner filed and served the "Notice of Hearing" (Form DE-120) on siblings only; however, this is not the appropriate notice for opening estate administration, and all relatives listed in the will are required to be noticed. See Probate Code §8100 et seq.</u> </li> <li>Need amended Proof of Subscribing Witness. The document filed 5-9-13 does not attach a copy of the will pursuant to #1 and Probate Code §8220(b).</li> <li>Need publication pursuant to Probate Code §8120 and Local Rule 7.9.</li> <li>Need order.</li> </ol>
		Full IAEA – need publication	
✓	Aff.Sub.Wit.	X	
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Petition to Administer Estate	X	
✓	Aff.Mail	w	
	Aff.Pub.	X	
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
✓	Letters		
✓	Duties/Supp	X	
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order	X	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 6-10-13
			Updates:
			Recommendation:
			File 14 – Miyake

**Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)**

<b>DOD: 02/14/2013</b>		<b>JUDGE SINGH BRAR</b> , son/named executor without bond, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Decedent signed the Will twice, once under the preprinted year of 1976 and again this time with a hand written date of 09/17/2004. It is unclear when the decedent signed the Will.  2. The names of two witnesses appear at the bottom of the Will however they are hand written and do not appear to be signatures. The Court may require proof of subscribing witness for each.  3. #3g of the Petition was not answered regarding the petitioner's residency. #8 of the petition lists the petitioner's residence in New Jersey however it appears that the petitioner was noticed at an address in Clovis, Ca. Pursuant to Probate Code §8571, notwithstanding a waiver of bond, the Court may require a non-resident to give bond.  <b>Note: If the petition is granted status hearings will be set as follows:</b>  <ul style="list-style-type: none"> <li>• <b>Friday, 11/15/2013 at 9:00a.m. in Dept. 303</b> for the filing of the inventory and appraisal <b>and</b></li> <li>• <b>Friday, 08/15/2014 at 9:00a.m. in Dept. 303</b> for the filing of the first account and final distribution.</li> </ul> Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.
		Full IAEA – o.k.	
<b>Cont. from 053013</b>		Will dated: 09/17/2004	
	<b>Aff.Sub.Wit.</b>	x	
✓	<b>Verified</b>		
	<b>Inventory</b>		
	<b>PTC</b>		
	<b>Not.Cred.</b>		
✓	<b>Notice of Hrg</b>		
✓	<b>Aff.Mail</b>	w/	
✓	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
✓	<b>Letters</b>		
✓	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
	<b>9202</b>		
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		
<b>Estimated value of the Estate:</b> Personal property - \$15,100.00 Real property - \$335,000.00 <b>Total: - \$350,100.00</b>			
Probate Referee: Steven Diebert			

<b>Age: 2</b>		<b>Temporary Letters (Elaine Thomas) expire 6-27-13</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>ELAINE THOMAS</b> , Paternal Grandmother, is Temporary Guardian.	
		<b>RACHEL STAUFFER</b> , Mother, filed a Motion to Quash Civil Subpoena for Kaweah Delta Hospital and St. Agnes Medical Center on 5-17-13.	
<b>Aff.Sub.Wit.</b>		<b>Ms. Stauffer states:</b>	
<b>Verified</b>			
<b>Inventory</b>		<ul style="list-style-type: none"><li>On 5-3-13, she was served with a Notice to Consumer or Employee and Objection and a Civil Subpoena (Duces Tecum) for Personal Appearance and Production of Documents, Electronically Stored Information, and Things at Trial and Declaration for St. Agnes Medical Center and Kaweah Delta Hospital (attached).</li></ul>	
<b>PTC</b>			
<b>Not.Cred.</b>		<ul style="list-style-type: none"><li>On 5-8-13, Attorney Hopper faxed a letter to Attorney Attashian stating that the mother's medical records are privileged and are outside the scope of discovery as there are no medical issues before the Court concerning the guardianship itself, and informing Ms. Attashian that she would not be entitled to all medical records prior to the birth of Zachary nor records that do not pertain to any issues that have not been tendered before this Court, and if she did not immediately withdraw the subpoenas and Mother is forced to file a motion to quash, she would be requesting sanctions for abuse of the discovery process.</li></ul>	
<b>Notice of Hrg</b>			
<b>Aff.Mail</b>		<ul style="list-style-type: none"><li>Ms. Stauffer states she has <b>NOT</b> put any medical issues before this Court; rather, Elaine has been the one to do so. In her 4-2-12 petition, she stated that Ms. Stauffer needed to be admitted to a hospital, and attached an email from Ms. Stauffer's mother (Patricia Kilpatrick) to Attorney Attashian.</li></ul>	
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>		<ul style="list-style-type: none"><li>Further, Elaine has requested all of Mother's medical records without ANY limit to time frame. Elaine should not be entitled to ANY of the medical records, especially those that do not pertain to issues not tendered before this Court.</li></ul>	
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>		<ul style="list-style-type: none"><li>Trial was originally scheduled for 3-26-13, but continued by stipulation and order. At no time did Mother agree to waive the discovery time and said time frame has lapsed. Furthermore, she did not agree to reopen discovery proceedings.</li></ul>	
<b>Letters</b>			
<b>Duties/Supp</b>		<b>Points and Authorities attached.</b>	
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202</b>			
<b>Order</b>			
<b>Aff. Posting</b>			
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			